

JAMES R. ANDERSON, ESQ.

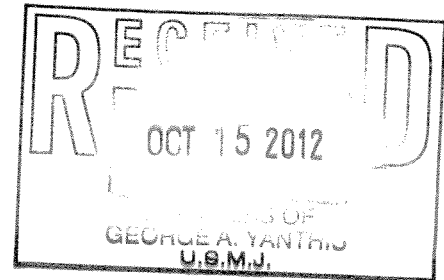
600 Mamaroneck Ave., Suite 400
Harrison, NY 10528
914.301.9489
914.468.0801 (fax)

USDC SDNY
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Mobile: 914.262.2038
Email: janderson10528@gmail.com

October 15, 2012

Hon. George A. Yanthis, U.S.M.J.
U.S. District Court for the
Southern District of New York
300 Quarropas St.
White Plains, NY 10601-4150



Re: BM v. Dale, 11 Civ. 951 (VLB)

Dear Judge Yanthis:

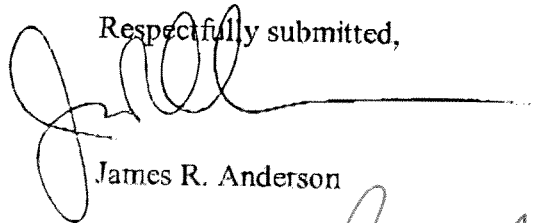
I represent defendant Amy Dale. I write in response to plaintiff's letter to you, dated today, that asks you to compel defendant to provide deposition dates.

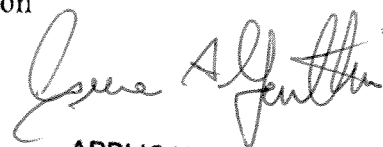
The parties were before you on Wednesday, October 10. I was sick and out of my office the following Thursday afternoon and all day Friday. I was forced to cancel a conference call with my client to discuss scheduling and other discovery issues. I spoke with my client this morning, and was able to secure proposed deposition dates. To my knowledge, Mr. Mandell did not attempt to contact me Friday or today before sending his letter to you. Mr. Mandell's posturing is ironic because IBM did not offer any deposition date until a few weeks ago, after Ms. Dale already had made and twice canceled plans to be in New York to be deposed.

In any event, Ms. Dale communicated to me this morning that she has a week-long client conference at the end of this month that is consuming all of her available time. She is available to be deposed November 5-8 in New York. If IBM could work with those dates, I would request of you a short extension of time for the parties to complete depositions.

Thank you for your consideration.

Respectfully submitted,


James R. Anderson

 10/16/12
APPLICATION GRANTED
SO ORDERED:
GEORGE A. YANTHIS, USMJ

By Fax to 914.390.4095

cc: Mitchell G. Mandell, Esq.

MEMO ENDORSED